

1 IN THE UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF TEXAS
3 EL PASO DIVISION
4

5 UNITED STATES OF AMERICA

No. EP-20-CR-389-DCG

6 v.
7

El Paso, Texas

8 PATRICK WOOD CRUSIUS

July 7, 2023
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11

12 SENTENCING

13 VOLUME 3 OF 3
14

15 BEFORE THE HONORABLE DAVID C. GUADERRAMA
16 UNITED STATES DISTRICT JUDGE
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23

24 Proceedings reported by court reporter. Transcript
25 produced via computer-aided transcription.

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El Paso, Texas 79901

1 APPEARANCES:

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8 and

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17 and

18 Rebecca L. Hudsmith
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and

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1 (Certified Court Interpreters Esperanza Gallegos and
2 Barbara Espinosa present to interpret for audience members.)

3 THE COURT: Mr. Velez, if you would call the case,
4 please.

5 COURTROOM DEPUTY: Cause Number EP-20-CR-389, the
6 United States versus Patrick Wood Crusius.

7 THE COURT: For continuation of the sentencing
8 proceeding, I would ask for announcements, please.

9 MR. HANNA: Good morning, Your Honor. Ian Hanna, Greg
10 McDonald, Mike Warbel, Patricia Acosta for the United States,
11 ready.

12 THE COURT: Good morning to all of you.

13 MR. SPENCER: Good morning, Your Honor. Rebecca
14 Hudsmith, Mark Stevens, Felix Valenzuela, and Joe Spencer on
15 behalf of Patrick Crusius, Your Honor.

16 THE COURT: Good morning to you as well, sir.

17 What is that?

18 LAW CLERK: It's a phone.

19 THE COURT: A phone? Shut that off.

20 PROBATION OFFICER: Good morning, Your Honor. Jessica
21 Avila with United States Probation Office.

22 THE COURT: Good morning, Ms. Avila.

23 All right. So just to recap, from Wednesday the 5th,
24 we had all agreed that the total offense level for those counts
25 receiving a score would be 43. The defendant's Criminal

10:00 1 History Category was I. So the guidelines for Counts 1 through
2 23 are life per count. The guidelines for Counts 24 through 46
3 are the mandatory minimum ten years consecutive to any other
4 sentence that might be imposed. The guideline for Counts 47
5 through 68 are life per count. And the guidelines for Counts
6 69 through 90 are mandatory minimum ten years consecutive to
7 any other sentences. All counts will be followed by a term of
8 supervised release of no less than two, no more than five
9 years. The defendant is ineligible for probation. Subject to
10 a fine on each count of no less than \$50,000, no more than
11 \$250,000. Restitution remains pending and is set for a hearing
12 on September 25 at 9:00 a.m. Special assessment of \$100 on
13 each count for a total of \$9,000.

14 All right. I do note that the parties have entered
15 into an 11(c)(1)(C) plea agreement, which this court, at the
16 time of taking of the plea of guilty, accepted and now is bound
17 by the terms of that plea agreement.

18 Mr. Hanna, do you concur in all that?

19 MR. HANNA: We do, Your Honor.

20 THE COURT: Mr. Spencer, do you?

21 MR. SPENCER: Yes -- yes, Your Honor, I do concur.

22 THE COURT: Mr. Spencer, at the disclosure of the
23 presentence report, I did invite your client, Mr. Crusius, to
24 make a statement as required by law -- as requiring me to ask
25 by law. Your client elected not to make a statement, so I

10:02 1 would hear your allocution at this time.

2 MR. SPENCER: May it please the Court. On August 3 of
3 2019, Patrick Crusius greatly harmed people who did not deserve
4 to be harmed. We offer our sincere condolences and prayers to
5 all of those who suffered greatly from this unimaginable
6 tragedy. We hope that this phase of the federal case can bring
7 some small amount of healing and resolution to the people most
8 grievously harmed by Patrick Crusius' actions on August 3 of
9 2019.

10 Patrick takes responsibility for his actions and for
11 the harm he caused. He pled guilty. And he agreed to the
12 imposition of 90 consecutive life sentences. Today's federal
13 sentencing ensures that Patrick will leave prison in a coffin.
14 The only question will be whether it's on God's time or man's
15 time.

16 As the Assistant United States Attorney for the
17 Western District of Texas noted in the plea agreement -- noted
18 in the plea hearing, Patrick Crusius' actions on August 3,
19 2019, was shaped by severe mental illness. This is, in part,
20 why the Department of Justice with the direct approval of the
21 United States Attorney General, Merrick Garland, decided not to
22 seek the death penalty. Because of this decision, Patrick pled
23 guilty to all of the counts in the federal indictment and will
24 spend the rest of his life in prison without any chance of ever
25 possibly being released. We hope this avoids traumatizing the

10:04 1 victims' community any further with protracted legal
2 proceedings in federal court.

3 We know the community has questions about Patrick.
4 Why would he come to our community? Was it because of the
5 color of our skin? Will he try to hurt me? We feel we have a
6 responsibility to address these questions for the most -- for
7 those that were most grievously harmed and for everyone else in
8 our community to try to make sense of the senselessness.

9 Answering questions about our client and his actions,
10 it's not easy for several reasons. First, as defense lawyers,
11 it is our ethical duty mandated by the American Bar Association
12 guidelines, the rules of professional responsibility, and the
13 oath the lawyers took to defend our client to the best of our
14 ability. In sharing some details at this time about his
15 actions and what compelled him to take those actions goes
16 against the principles that we have sworn to follow. More
17 importantly, we are aware that by sharing this information, we
18 need to be careful to make the distinction between explaining
19 Patrick's severe mental illness and not justify his actions.

20 In no way do we agree with or support what he did on
21 August 3 of 2019. We share the information that we are able to
22 share at this time with the hope that we may help our community
23 with the healing. The role Patrick's severe mental illness
24 played in his crimes was addressed in detail by the presentence
25 report completed by United States Probation Officer Avila.

10:05 1 And I have to commend -- I know His Honor gave her
2 kudos very early on for the presentence report that was 128
3 pages long and 728 paragraphs long. But she had to decipher
4 millions of documents to get the information, and she did an
5 outstanding job. And, in detail, it does explain much of
6 Patrick's mental health condition.

7 Yet, we understand that it's important to reiterate
8 certain details in an attempt to address the victims'
9 community's concern. I know so many questions remain about why
10 Patrick did this and how he could do this. When a human being
11 causes this amount of harm and destruction, we all ask how and
12 why someone could do something like this, something so
13 senseless. We so desperately want to make sense of what we
14 cannot comprehend.

15 I do not presume that what I share about Patrick's
16 severe mental illness and his actions will bring any degree of
17 comfort. It may bring more questions. And it may be painful
18 to hear.

19 We are grateful for the opportunity to share with
20 everyone today what we have learned about Patrick and what
21 contributed to his actions. And we appreciate your willingness
22 to hear from us.

23 Mental illness does not, of course, mean someone is
24 always going to hurt themselves or others. We all encounter,
25 know, or love people with mental illness and the effects of

10:07 1 mental illness are diverse. And they vary greatly in their
2 severity. But severe mental illness can be debilitating,
3 especially if you are not on medication. It can help someone
4 from understanding reality and can cause him or her to take
5 actions that show no appreciation for reality.

6 As Your Honor may recall from the plea hearing in
7 February, Patrick was evaluated by several mental health
8 experts. In fact, he has been seen by eight different mental
9 health professionals in the last four years. The experts
10 diagnosed him with a serious mental illness called
11 schizoaffective disorder.

12 You may have questions about this illness, what it is,
13 what it has to do with Patrick's horrific actions on August 3
14 of 2019. Schizoaffective disorder is an illness that left --
15 if left untreated can be debilitating. Schizoaffective
16 disorder is a type of schizophrenic disorder where the person
17 has disturbances in his mood, how they process feelings, how
18 they think.

19 People with schizophrenic disorder, like Patrick, can
20 experience various types of breaks with reality that affect the
21 way they feel, see, smell, taste and hear. These sensory
22 breaks from reality are called hallucinations. Patrick
23 experiences breaks from reality in how he hears and often
24 hearing voices and noises. He experiences breaks from reality
25 at times, seeing shapes that are not there. Since childhood,

10:09 1 he has felt a presence that is not there.

2 Patrick's thinking is at odds with reality. That
3 unreal thinking can become very fixed and rigid, dominating the
4 way a person sees the world around them and resulting in
5 delusional thinking and strange ideas. This serious mental
6 illness can be very confusing to the person experiencing it and
7 to those around him.

8 To the extent that we are able to at this time, we
9 want to share how Patrick's broken brain contributed to his
10 actions in El Paso that forever changed the lives of so many.
11 Even though Patrick had mental illness, mental health issues
12 beginning as a young child, Patrick's family members noticed
13 that something was changing in him for the worst in the year or
14 so before he came to El Paso.

15 When he was 20 years old, mental health professionals
16 described this type of -- this time when the brain is changing
17 and the disease is becoming more prominent, as a prodromal
18 phase of Patrick's schizophrenic illness. Patrick was slipping
19 into a psychotic stage and a psychotic illness.

20 Patrick was also starting to have thoughts that he did
21 not want to have. Some of those thoughts were about harming
22 people. Patrick was alarmed and he was distressed by having
23 unwanted, violent thoughts about two young men he worked with
24 at a movie theater. Patrick decided that the safest thing to
25 do was to leave his job, and he quit in January of 2019.

10:11 1 Patrick's family struggled to make sense of what they
2 were seeing. In their own lives, both of Patrick's parents
3 have over the years suffered from mental illness. Both of
4 Patrick's parents have required serious medication and even
5 hospitalization for their own mental illness.

6 In March of 2019, Patrick started to see a therapist
7 about his thoughts of harming people and himself. The
8 therapist gave Patrick a series of tests. His responses showed
9 that he heard voices in his head that no one else could hear.
10 And even while alone, he felt that someone was watching him.
11 And he had trouble controlling his thoughts, especially the
12 unwanted thoughts of violence.

13 In the spring of 2019, Patrick knew something was not
14 right with his brain. But over time, the psychosis, the power
15 of the psychotic thinking, overcame his awareness. In April,
16 Patrick desperately searched the internet, as the FBI found
17 when they confiscated his computer.

18 In his search of the internet, he was searching about
19 his violent thoughts, and he was asking whether it was normal
20 to have violent thoughts. During this time, he searched for
21 information about mental illness. He searched for information
22 on how to get treatment for mental illness. He searched for
23 information on how to enter a mental health facility without
24 having insurance. He searched the internet if violent thoughts
25 are normal and how to get rid of them.

10:12 1 Patrick's mental illness got worse. Patrick became so
2 unstable that he withdrew from community college classes that
3 he had been attending. Patrick was also now having unwanted
4 violent thoughts about his therapist and about his family
5 members. Those unwanted thoughts were overwhelming.

6 He stopped responding to the therapist and he made
7 excuses to leave his family members' home, even though he had
8 no other place to stay since he did not have a home of his own.
9 Family members were bewildered when he disappeared suddenly or
10 failed to make plans -- to keep the plans that had been made
11 with his family.

12 In June of 2019, Patrick's family became particularly
13 alarmed when his brother learned from a credit card statement
14 that Patrick had bought an assault rifle. Even though he did
15 not fully understand Patrick's mental health issues, no one in
16 the family believed it was a good idea for Patrick to have a
17 gun. They worried that Patrick was depressed and suicidal and
18 could harm himself or others.

19 As the FBI found out, Patrick's mother called the
20 Allen Police Department on June 28 of 2019 and spoke to an
21 officer. She expressed her concerns that her son Patrick was
22 not mentally stable to safely own a firearm. She was told
23 Patrick, however, was over 18, and he had obtained the gun
24 legally. Despite her pleas with the Allen Police Department to
25 confiscate the weapon due to his instability mentally, the

10:14 1 officer simply refused to take the gun away from Patrick.

2 No one was aware of the moment when Patrick decided to
3 commit his acts of unspeakable violence, nor was anyone aware
4 of the delusions that had overtaken him by the end of July. On
5 July 27, Patrick went to his mother's house to be with her and
6 his twin sister for their 21st birthday. His mother and sister
7 had no idea that, earlier that day, Patrick had written a
8 suicide note that he expected his family to read after his
9 death.

10 The night of August 2, Patrick could not sleep. His
11 head was full of violent thoughts and delusions, and he just
12 could not stop. He got in his car, and he started to drive to
13 El Paso. Patrick lost all contact with reality. As Patrick
14 explained to the FBI after he was arrested, when he arrived in
15 El Paso, he just drove around El Paso, and he ended up at the
16 Walmart, where his serious mental illness and the resultant
17 violent thoughts compulsively compelled him to complete this
18 horrific act. Patrick acted with his broken brain cemented in
19 delusions, under delusional beliefs that compelled him to act.

20 I do not presume that what I have been able to share
21 does anything to answer all your questions that the victims may
22 have about what Patrick did. There are never going to be
23 answers that are satisfactory when people in a community are
24 harmed to this degree.

25 In response to the nature of these crimes, the defense

10:16 1 requests that the Court make a judicial recommendation that the
2 Bureau of Prisons consider placing Patrick in the most secure
3 Bureau of Prison facilities. USP Florence Administrative Max
4 or ADX, also known as Supermax.

5 The defense also requests that the Court follow U.S.
6 Probation Officer Avila's suggestion and make a judicial
7 recommendation that the -- to the Bureau of Prisons that
8 Patrick receive all necessary mental health services for his
9 severe mental illness. We hope that over time, as this case is
10 resolved, not only by the federal court, but also in the state
11 court, the victim community and the El Paso and Juarez
12 communities will begin to heal.

13 We will do all that we can to address the community's
14 needs for information. We, the lawyers, are willing to meet
15 with any member, any survivor of any of the victims or any
16 family members at any time.

17 We do not intend to cause any more harm to this
18 community. We hope that this phase of the federal case can
19 bring some small amount of healing and some small amount of
20 resolution to the people most grievously harmed by Patrick's
21 actions on August 3 of 2019.

22 This week, we heard from people whose lives have been
23 irrevocably changed. This was critical because it will signal
24 an important shift in the focus, from the punishment of Patrick
25 to the needs of our community. That testimony was important

10:18 1 for all of us to hear, to acknowledge and to be mindful of the
2 suffering inflicted on those individuals and their families.

3 We cannot change what happened to our community; yet,
4 by listening to their impact statements, we can move forward as
5 a community towards addressing the direct needs of those most
6 harmed by Patrick Crusius. We, the people of El Paso and
7 Juarez, can model justice through our actions with the time and
8 energy to give -- to help our community heal. The
9 El Paso-Juarez community is a transnational community and a
10 faith-driven community. Our community is deeply resilient and
11 tolerant.

12 Patrick Crusius, while in the throes of a psychotic
13 illness, acted in a manner atrociously inconsistent with those
14 values. Patrick showed no mercy on August 3 of 2019, for which
15 he will be punished harshly and only leave prison in a coffin,
16 but not on man's time, on God's time.

17 This past week, we heard and listened to the victims,
18 their voices, their names, their stories of devastation, of
19 fear, of hate, but also of faith, of prayer, of strength, of
20 resilience. We hope that the families most grievously affected
21 by Patrick's senseless actions, our community, our first
22 responders -- our first responders, and others impacted by this
23 tragedy continue to be supportive as they process what happened
24 to them. We hope that we have provided some answers to what
25 feels incomprehensible. We also hope that the politicians and

10:20 1 other community leaders support the healings of the victims
2 instead of focusing on their self-interested political gain.

3 (Speaking Spanish)

4 THE INTERPRETER: "May God bless everyone, our
5 victims, our families, and our El Paso-Juarez community."

6 THE COURT: Thank you, Mr. Spencer.

7 Mr. Hanna, on behalf of the government.

8 MR. HANNA: Your Honor, before the government begins
9 its allocution, we ask the Court to have the record reflect a
10 few items.

11 First, that to all who have lost somebody, who were
12 injured, the United States offers its deepest condolences to
13 you, to the government and people of Mexico, the United States,
14 a country with whom we share a common bond of our shared
15 geography, family ties that unite countless of our citizens.
16 We offer our condolences to the loss of your citizens, your
17 sons, and daughters.

18 To the government and people of the Federal Republic
19 of Germany, we offer our condolences to the loss of their
20 citizen, to their son.

21 And to the Court, we would like to thank the Court for
22 the consideration and latitude it has offered to the parties in
23 conducting this hearing over the course of the past few days.
24 We sincerely appreciate it.

25 May it please the Court, Counsel, Ladies and

10:21 1 Gentlemen. 23 killed, 21 shot, and one baby boy seriously
2 injured when his parents fell mortally wounded. I agree with
3 my colleague, Mr. Spencer, that you can't make sense out of the
4 senseless. So instead, Your Honor, as the Court prepares to
5 hand down its sentence, we ask the Court to consider the facts,
6 to consider those facts, to remember them, to have an
7 understanding of what exactly it was that happened, what
8 exactly it was that happened here on September -- on August 3,
9 2019.

10 Because what happened was a cold, calculated scheme to
11 target immigrants generally and Hispanics and people of Mexican
12 descent specifically, to target them for death. It was a plan
13 executed in a callous disregard for basic tenets of humanity
14 and decency carried out in a large retail store on a busy
15 Saturday morning when it was full of children and their parents
16 and their grandparents.

17 It was a shooting spree that spared no one, no one,
18 not the old, not the young, not men, not women, not white, not
19 black, and certainly not brown. It was an attack carried out
20 with a firearm, a weapon not out of place on the battlefield,
21 loaded with bullets, specifically chosen for their hollow
22 points, munitions designed to expand upon impact, and shred
23 soft tissue. An assault that included as one of its first
24 targets of opportunity tables and a tent for a girls' youth
25 soccer team's fund-raiser.

10:24 1 It was not a crime that was committed in the heat of
2 passion, and it was not an accident. On the contrary, the
3 facts as provided in the factual basis that supported the plea
4 play out for all of us and explain to all of us and paint a
5 picture to all of us that this was a calculated, premeditated
6 attack with every detail laid out by its proponent in a
7 document of his own creation.

8 We heard today about severe mental illness. Even with
9 schizoaffective disorder, there is no indication, none, that he
10 lacked the capability to understand the wrongfulness of his
11 actions when he was doing them. The idea that he didn't know
12 what he was doing because of severe mental illness, we reject
13 it. We reject that.

14 Why? Because we are in a building where facts still
15 matter. And these are the facts: He started killing 17
16 minutes after he posted his manifesto, a document that laid out
17 the who, the why, and the where. He started killing ten
18 hours -- ten hours after driving alone by himself with his
19 thoughts from Dallas to El Paso. He started killing two weeks
20 after he first started writing that manifesto. And he started
21 killing 6 1/2 weeks after he bought that AK-47.

22 Those are the undisputed facts in the factual basis.
23 So we ask this court to consider those facts, to consider what
24 it is that really happened here, to consider the 23 lost, the
25 21 shot, and that baby boy. We ask the Court to consider that.

10:26 1 We ask the Court to consider also everyone else that was
2 affected by the things that happened that Saturday in August of
3 2019. The first responders who raced there after getting the
4 911 call, as the 911 calls started coming in, who rushed people
5 to the hospital, saving lives, and then, later, who stayed to
6 process the crime scene, a crime scene whose physical
7 dimensions dwarfed only -- only by the magnitude of the horror
8 and carnage that they saw there.

9 We ask the Court to consider the approximately 350
10 people who received compensation from the One Fund because they
11 have documented injuries, physical and psychological, stemming
12 from the defendant's actions. We ask the Court to consider the
13 thousands -- about 1,000 people that were inside the Walmart
14 that Saturday and who lived through what can only be imagined
15 as an eternity of sheer terror as those shots began ringing
16 out.

17 We ask the Court to consider the tens of thousands who
18 opened their wallets and their hearts and donated money to the
19 various charitable organizations that sprang up to assist the
20 people in their time of need, contributed their time and their
21 love. We ask the Court to consider the hundreds of thousands
22 from around the world that in the days, weeks, months after,
23 went to funerals, went to vigils, said prayers, sent letters,
24 sent flowers. We ask the Court to consider all these people
25 because everyone, everyone in this community -- and by "this

10:28 1 community," I mean El Paso, Juarez, southern New Mexico, all
2 points in between, the entire Borderland -- because everyone in
3 this community was affected by what happened.

4 That's because it wasn't an attack on the Walmart. It
5 wasn't an attack on a physical place. He didn't go into that
6 Walmart looking for somebody that he knew. When he went in
7 there and looked down the barrel of his rifle and he started
8 shooting individuals, it was because he wanted to eliminate a
9 class of people.

10 It was a strike against the very essence of what makes
11 this community so special, its people. And when that happens,
12 that generates a psychological trauma that this community is
13 living through, and it will be generational. We will have
14 echos of it passing on for lifetimes in this community.

15 So, Your Honor, for the lives taken, for the injuries
16 sustained, for the trauma that's been borne, there's got to be
17 some kind of accountability for that. And so this sentence
18 that the Court is about to hand down, the 90 consecutive life
19 sentences, it's the beginning of that.

20 First off, it's a recognition of just how dangerous he
21 really is. Let's not make any mistake about it. He is
22 dangerous. And he is dangerous not because of who he is, in
23 the flesh and blood sitting here, doesn't look like much of a
24 threat. He is dangerous precisely for what he is, the vessel
25 of an insidious lie, a lie borne of fear, fueled by ignorance,

10:30 1 a lie spread to try to convince people that this country
2 belongs to only a select few. That being an American is about
3 what you look like or where your ancestors are from, a lie that
4 festers in the dark recesses of the internet and a fiction -- a
5 malevolent fiction that has a unique ability to twist minds,
6 poison hearts, and corrupt souls. That's certainly what it did
7 to him.

8 And if we take him at his word of what's in his
9 manifesto, which we should, and this court should understand he
10 really believes it, he is all in. And it's because he is all
11 in, because he believes this lie, this fiction that turned him
12 against himself, that turned him against this community, and
13 perhaps most tragically ironic of all that turned him against
14 the core principle -- foundational principle of this republic
15 that we as a nation, all of us together, are so much more --
16 are so much more than the sum of our individual parts. That
17 out of many, we are made one.

18 That is a foundational truth that has guided this
19 country for 243 years. And for him to make himself
20 deliberately ignorant of that American truism should inform the
21 Court to the degree to which he has been poisoned and to the
22 magnitude of the danger that he represents now and in the
23 future.

24 And so long as he does not renounce that, he is a
25 voice piece, he is a vessel for that lie, and he is dangerous

10:32 1 to all of us. He is a danger to our way of life, and he is a
2 danger to our society. He is a danger to the way we do things,
3 and he is a danger to the way we organize ourselves.

4 This sentence of 90 consecutive life sentences, in
5 part, acknowledges that danger. But it's just the beginning.
6 He claims that he takes responsibility, but not yet, not yet,
7 because this sentence is just the beginning. It is the
8 beginning of the process by which he will start to take account
9 in full for the decisions and the crimes that he has committed.
10 And in our view, that accounting will come slowly, glacially
11 perhaps, over the decades to come, as he sits in the cold, dark
12 confines of his cell in isolation with only his thoughts. That
13 is when the weight -- the full weight of his punishment will
14 begin to set in as the realization of what all of this means to
15 him personally begins to set in.

16 And that realization, quite simply, Your Honor, that
17 he is a failure. He failed. He failed. In his mission to sow
18 hate, to divide, to separate, he failed, and not because he
19 didn't plan or because he didn't try hard enough, because he
20 certainly did those things, but because the people of this
21 community would never let him succeed. That's why he failed.

22 Your Honor, it's our hope and our prayer that it is
23 exactly that failure -- exactly his failure that brings to
24 everyone here some measure of faith and hope. To the people
25 who lost loved ones, to the people who lost pieces of

10:35 1 themselves, we hope that it brings you faith, faith to know
2 that the love that you carry forward for your brothers, your
3 sisters, your mothers, your fathers, your children, that love
4 that you have every day when you think of your family members,
5 when you remember them, that love that you feel, it was that
6 love that made sure that he failed. We pray, in turn, that
7 that faith brings you some hope -- some hope that in the future
8 someday -- be it today, tomorrow, some point in the future --
9 that these concepts, these realities will bring you some
10 measure of peace and some measure of closure.

11 For the rest of us, the government submits to the
12 Court that his failure should give us hope, hope for the
13 present and hope for our future, hope that we never lose faith,
14 faith in the inherent strength of this community, the
15 resiliency of its people, the benevolence and the beauty of its
16 culture, faith to know that those things, no one, nobody, no
17 thing can ever take those things away. Faith also in ourselves
18 and faith in knowing that this community always was and always
19 will be better than that.

20 So, Your Honor, we ask you to sentence the defendant
21 to 90 consecutive life sentences. We ask you to do that so
22 that this community can begin to forget about him, continue to
23 move forward honoring and remembering the things that were
24 lost, striving for the things that stand to be gained, and
25 waiting and knowing that there will be better days to come.

10:37 1 Thank you.

2 THE COURT: Thank you, Mr. Hanna.

3 Mr. Crusius, I sentence you to life in the
4 penitentiary on each and every one of the 90 counts brought
5 against you in the indictment in this case. Each count will
6 run consecutive to the count before it. So once you complete a
7 life sentence on Count One, you will begin a life sentence on
8 Count Two, and so on, until you have served 90 life sentences
9 for this crime.

10 I am going to follow those 90 life sentences with five
11 years of supervised release on each count as required by the
12 guidelines. These will run concurrently. Your supervised
13 release will be under standard conditions which this court
14 adopts. These will include that you commit no crime against
15 the United States, any state of the United States, or any local
16 government. It will include the special condition that you
17 submit to up to one year of intermittent confinement as
18 directed by the Court pursuant to law.

19 And, Mr. Spencer, are you familiar with the special
20 conditions that are set out in paragraph 716 of the report?

21 MR. SPENCER: I am, Your Honor.

22 THE COURT: Do you have any objection to the Court
23 imposing those?

24 MR. SPENCER: No objections, Your Honor.

25 THE COURT: The Court would impose the special

10:39 1 conditions set out in paragraph 716 of Ms. Avila's report. I
2 would include those in the judgment as if I had fully
3 articulated them into the record.

4 Because it appears you are indigent, unable to pay a
5 fine, I will waive a fine and look to the government for the
6 \$100 special assessment on each count, a total of \$9,000.

7 MR. HANNA: The government does not remit.

8 THE COURT: The 9,000 -- the \$100 special assessment
9 is assessed on each count totaling a special assessment of
10 \$9,000.

11 I will recommend to the Bureau of Prisons that you be
12 held to serve out your life sentences at the United States
13 Penitentiary Administrative Maximum Facility, USP Florence
14 ADMAX, commonly known as the Supermax in Florence, Colorado.

15 I will recommend to the Bureau of Prisons that you be
16 afforded mental health treatment while you are in their
17 custody.

18 Mr. Hanna, the items in the government's Bill of
19 Particulars for Forfeiture, have those been administratively
20 forfeited or do I forfeit them now?

21 MR. HANNA: No, Your Honor. That issue has been
22 resolved. In fact, we fired -- we filed an advisory to the
23 Court this morning just to confirm that that issue has been
24 resolved.

25 THE COURT: All right, thank you.

10:41 1 So, Mr. Crusius, now that I have imposed your
2 sentence, you have the right to appeal the imposition of that
3 sentence. That right is limited by the terms of your plea
4 agreement. But if you wish to appeal, you must file a notice
5 of appeal with the clerk of this court indicating your desire
6 to appeal your sentence to a higher court. You must file this
7 notice of appeal within 14 days of the date of the entry of
8 judgment in your case. Most likely, the date of entry of
9 judgment in your case will be today. If you have any
10 additional questions about your appellate rights, I will refer
11 you to Mr. Spencer. He will be able to answer all your
12 questions. And Mr. Spencer will be able to help you perfect an
13 appeal if you choose to appeal.

14 Mr. Spencer, is there anything else that you require
15 of the Court?

16 MR. SPENCER: No, Your Honor, not at this time.

17 THE COURT: Mr. Hanna.

18 MR. HANNA: Your Honor, one more item, just a piece of
19 housekeeping: The government moves respectfully for the Court
20 to dismiss the pending indictment in this case, moving forward
21 on the superseding indictment.

22 THE COURT: The original indictment brought against
23 Mr. Crusius in this case is dismissed on the government's
24 motion. Ms. Avila, is there anything else that I should be
25 adding to the terms and conditions of supervised release?

10:42 1 PROBATION OFFICER: No, Your, Honor. Thank you.

2 THE COURT: All right then. With that, then, these
3 proceedings are adjourned.

4 * * * * *

5 C E R T I F I C A T E

6 I certify that the foregoing is a correct transcript from
7 the record of proceedings in the above-entitled matter. I
8 further certify that the transcript fees and format comply with
9 those prescribed by the Court and the Judicial Conference of
10 the United States.

11 Signature: /s/Nalene Benavides Date: July 12, 2023
12 Nalene Benavides, RMR, CRR